



3762

#19

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

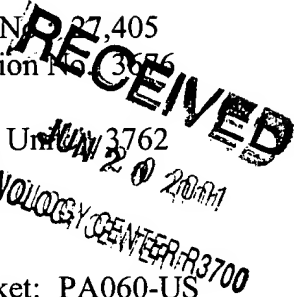
In re Application of:
Divino, Jr. et al.

Serial No.: 09/468,471

Filed: December 21, 1999

For: Method of Forming Gas-Enriched Fluid

§ Customer No. 27,405
§ Confirmation No. 3686
§
§ Group Art Unit 3762
§ JUN 20 2001
§ EXAMINER: TECHNOLOGY CENTER-R3700
§ Atty. Docket: PA060-US
§
§
§



Assistant Commissioner
for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
June 13, 2001	
Date	Tamara J. McGovern

Dear Sirs:

**TRANSMITTAL OF SUPPLEMENTAL
INFORMATION DISCLOSURE STATEMENT**

In accordance with 37 C.F.R. §§ 1.56 and 1.97, enclosed please find a copy of Form PTO-1449 listing references which might be deemed material to the examination of the above - identified application.

In accordance with 37 C.F.R. §1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b), or as a representation that no other possibly material information, as defined in 37 C.F.R. §1.56(b), exists.

1. ☒ The information disclosure statement submitted herewith is being filed:
- (1) within three months of the filing date of a national application or

- (2) within three months of the date of entry of the national stage in an international application or
- (3) before the mailing date of a first Office Action on the merits or
- (4) before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).

2. ☐ The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of a national application or date of entry of the national stage as set forth in §1.491 in an international application or after the mailing date of the first Office Action on the merits or after the mailing date of the first Office Action after the filing of a request for continued examination under §1.114, whichever event occurred last but *before* the mailing date of either:
- (1) a final action under §1.113 or
 - (2) a notice of allowance under §1.311, whichever occurs first.
- 37 C.F.R. §1.97(c).

CERTIFICATION OR FEE

A. Included with this transmittal is

- i. ☐ a certification (set forth below) in accordance with 37 C.F.R. §1.97(e). (If for any reason the certification set forth below should be unsatisfactory, the Commissioner is provisionally authorized to charge the \$180 fee (37 C.F.R. §1.17(p)) to Deposit Account No. 501769. A duplicate copy of this sheet is enclosed.)
- OR**
- ii. ☐ the attached fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00).

3. ☐ The information disclosure statement transmitted herewith is being filed *after* a final action under §1.113 or a notice of allowance under §1.311, whichever

occurs first, but before, or simultaneously with the payment of the issue fee.
37 C.F.R. §1.97(d).

CERTIFICATION, PETITION AND FEE

- A. In accordance with the requirements of 37 C.F.R. §1.97(d):
- i. Set forth below is a certification as specified in 37 C.F.R. §1.97(e).
 - ii. Applicant hereby petitions for the consideration of the accompanying information disclosure statement. 37 C.F.R. §1.97(d)(2).
 - iii. Applicant submits the petition fee set forth in §1.17(i). (\$130.00).

CERTIFICATION

(Required if 2Ai or 3 above is marked)

4. I, the person signing below, certify
- ☐ that each item of information contained in the information disclosure statement was cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).
- OR**
- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).
5. ☐ A copy of any patent, publication or other information listed in the

attached PTO-1449 is not being provided if it was previously cited by or submitted to the Office in a prior application, upon which this application relies for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. §1.98(d).


Prior application serial no. _____

Filing date _____

6. ☒ If a fee is due, a fee transmittal is provided herewith. Further, if it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 501769.

Respectfully submitted,

Date: June 13, 2001


Margaret A. Kivinski, Esq.
Reg. No. 38,517
THEROX, INC.
2400 Michelson Drive
Irvine, California 92612-1310
(949) 757-1999

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Vincent Divino, Jr. et al.

Serial No.: 09/468,471

Filed: December 21, 1999

For: METHOD OF FORMING GAS-
ENRICHED FLUID (As Amended)



Group Art Unit: 3762

Examiner: Unassigned

Atty. Docket: THOX:0021--1/FLE
PA060-US

Assistant Commissioner
for Patents
Washington, D.C. 20231

CERTIFICATE OF TRANSMISSION OR MAILING 37 C.F.R. 1.8	
I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on the date below:	
July 26, 2000	
Date	Michael G. Fletcher

Sir:

**INFORMATION DISCLOSURE STATEMENT
PURSUANT TO 37 C.F.R. §§ 1.97(b)(1) AND 1.98**

In compliance with the duty of disclosure under 37 C.F.R. § 1.56(a), Applicants respectfully request that this Information Disclosure Statement be entered and that the listed references be considered by the Examiner and made of record. Copies of the listed references are enclosed for the convenience of the Examiner.

In accordance with 37 C.F.R. § 1.97, this Information Disclosure Statement is not to be construed as a representation that a search has been made, as an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b), or as a representation that no other possibly material information, as defined in 37 C.F.R. § 1.56(b), exists.


Furthermore, the references listed on the attached Form 1449 are not to be construed as an admission that these references qualify as prior art as to the above-referenced application or any related application. Rather, these references are being presented for the Examiner's consideration without prejudice to Applicants' right to demonstrate that any of these references do not qualify as prior art should the Examiner choose to apply any of these references.

The following information is listed below in accordance with 37 C.F.R. §1.98. Any explanation of non-English language documents contained in this Information Disclosure Statement is believed to constitute a concise explanation of the relevance of the listed reference as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the listed reference, in accordance with 37 C.F.R. § 1.98(a)(3).



Respectfully submitted,

Date: July 26, 2000



Michael G. Fletcher
Reg. No. 32,777
Fletcher, Yoder & Van Someren
P.O. Box 692289
Houston, Texas 77269-2289
(281) 970-4545